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AUG 23 2006

TECHNOLOGY CENTER 2800

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In re Application of: :  
Stephen Russak et al. :  
Serial No.: 10/722,590 :  
Filed: November 25, 2003 :  
Attorney Docket No.: 00467/100M163-US1 :

DECISION *SUA SPONTE*  
WITHDRAWING THE HOLDING  
OF ABANDONMENT

This is a decision, sua sponte, withdrawing the holding of abandonment of the above-identified application.


A Notice of Abandonment was mailed on August 9, 2006. The application was held abandoned for failure to timely file a proper reply to the Office letter mailed on January 17, 2006. There was no Office letter mailed on January 17, 2006.

A review of the application record reveals the following pertinent events. A final Office action was mailed on July 8, 2005. On January 9, 2006, applicant filed a Notice of Appeal with a petition for an extension of time which extended the period for response to the final Office action to January 8, 2006. The Notice of Appeal was timely under the provisions of 37 C.F.R. § 1.7(a) since January 8, 2006 fell on a Sunday. On August 8, 2006, applicant filed a proper Request for Continued Examination (RCE) with a petition for an extension of time which extended the period for filing an Appeal Brief or RCE to August 8, 2006.

Accordingly, the Notice of Abandonment mailed on August 9, 2006 is hereby VACATED and the holding of abandonment is withdrawn.

The Technical Support Staff of Technology Center 2800 will process the RCE and the examiner will prepare an Office action with consideration of the amendment filed with the RCE.

Any inquiries regarding this decision should be directed to Edward Westin at (571) 272-1638.

  
Richard K. Seidel, Director  
Technology Center 2800  
Semiconductors, Electrical and Optical  
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